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NAME OF INVENTOR(S): Torres	
RECEIPT DATE & SERIAL NO.: Serial No.: 10/614,846 Filing Date: 7/8/2003	
TITLE OF INVENTION: HIGH SPEED, LOWER POWER LVDS DRIVER	
TI FILE NO.: TI-35321	DEPOSIT ACCT. NO.: 20-0668
FAXED: 09/20/2005 DUE: 10/29/2005 ATTY/SEC'Y: wps/nc	

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Torres	Docket No:	TI-35321
Serial No:	10/614,846	Examiner:	Wells, Kenneth
Filed:	7/8/2003	Art Unit:	2816
For:	HIGH SPEED, LOWER POWER LVDS DRIVER		

REPLY BRIEF

Assistant Commissioner For Patents  
Washington, DC 20231

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Tommie Chambers

Dear Sir:

Responsive to the Examiner's Answer mailed August 29, 2005 in connection with  
the above identified application, Applicants respectfully submit the following remarks.

## **REMARKS**

The Examiner alleges on page 5 of the Examiner's answer that the differential signal and consequently the differential first pair of transistors are mere intended use. However, the Honorable Board's attention is directed to the decision in *Ex parte Bylund*, 217 USPQ 492 which stated that the functional language in a claim must be given full weight and may not be disregarded in evaluating the patentability of the subject matter.

In *RCA Corp. v. Applied Digital Data System Inc.*, (CAFC 1984) 221 USPQ 385.

The limitations that must be met by an anticipary reference are those set forth in each statement of function and such limitations cannot be met by an element in the reference that performs a different function.

This is exactly the situation with the present claims in issue and in *Urakawa*.

Apparently the Examiner realizes that *Urakawa* does not meet all the functional language and consequently relies on a statement that it is mere intended use.

However, the court decisions are clear that such statements of function must be found in an anticipary reference in order to properly reject the claims.

For the foregoing reasons and the reasons set forth in the Appeal Brief filed on June 2, 2005, Appellants respectfully submit that the Examiner's final rejection of Claims 1-15 under 35 U.S.C. § 102 and 35 U.S.C. § 103 is not properly founded in law and it is respectfully requested that the Board of Patent Appeals and Interferences so find and reverse the Examiner's rejections.

Respectfully submitted,



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